

73049-378(

3/14/2013

Page 177



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY
AND POLLUTION PREVENTION

Mr. Nasser Assaf, Ph.D.
Valent BioSciences
870 Technology Way, Suite 100
Libertyville, IL 60048

MAR 14 2013

Subject: Label Notification(s) for Pesticide Registration Notice 98-10

Dear Dr. Assaf:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated December 12, 2012 for the following product(s):

Aqueous Pyrenone Garden Spray

Reg. No. 73049-378

The Registration Division (RD) has conducted a review of this request for applicability under PR Notice 98-10 and finds that the label change(s) requested falls within the scope of PRN 98-10. The label has been date-stamped "Notification" and will be placed in our records.

If you have any questions, please contact Linda A. DeLuise at 703-305-5428.

Sincerely,

A handwritten signature in black ink, appearing to read "R. J. Gebken", is written over a large, stylized checkmark or flourish.

Richard J. Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)



United States
Environmental Protection Agency
Washington, DC 20460

☒ Registration
☐ Amendment
☐ Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 73049-378	2. EPA Product Manager Richard Gebken	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Aqueous Pyrenone Garden Spray	PM# 10	
5. Name and Address of Applicant (Include ZIP Code) Valent BioSciences Corporation 870 Technology Way Libertyville, IL 60048 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.) Label Notification - No Fee
This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the confidential statement of formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA. I further understand that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

NOTIFICATION OF addition of non-public health pest PER PR NOTICE 98-10 II B.

Addition of: spider mites and thrips

-No other changes have been made to the label other than those clearly marked.

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Metal	<input checked="" type="checkbox"/> Plastic
				<input checked="" type="checkbox"/> Glass	<input type="checkbox"/> Paper
* Certification must be submitted				Other (Specify) _____	
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container	4. Size(s) Retail Container 6 ounces to 1 gallon	5. Location of Label Directions <input checked="" type="checkbox"/> on label			
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input checked="" type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)					
Name Nasser A. Assaf, Ph.D.		Title Manager, Product Safety and Regulatory Affairs		Telephone No. (Include Area Code) (847) 968-4844	
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.					6. Date Application Received (Stamped)
2. Signature NAASSAF		3. Title Manager, Product Safety and Regulatory Affairs			
4. Typed Name Nasser A. Assaf, Ph.D.		5. Date December 12, 2012			

377



870 TECHNOLOGY WAY
LIBERTYVILLE, IL 60048 - 800-323-9597

December 12, 2012

Document Processing Desk (NOTIF)
Registration Division
Office of Pesticide Programs (7504P)
US Environmental Protection Agency
Room S-4900, One Potomac Yard
2777 S. Crystal Drive
Arlington, VA 22202

ATTN: Richard Gebken
Product Manager 10
Insecticide Branch

SUBJECT: APPLICATION FOR PESTICIDE LABEL NOTIFICATION – No PRIA Service Fee Required
Submission of Revised Labeling For:
Aqueous Pyrenone Garden Spray; EPA Reg. No. 73049-378

Dear Mr. Gebken:

This application for label notification for the above subject product is being submitted in compliance with PR Notice 98-10. We are proposing to add an additional non-public health pest to the labeling of Aqueous Pyrenone Garden Spray; EPA Reg. No. 73049-378.

Addition of: spider mites
thrips

One

~~Two~~ (2) copies of revised draft labeling with changes clearly marked are enclosed. Additions are noted in highlighted, underlined italics. Deletions, if any are shown struck through.

If you need additional information or have any questions regarding this submission, please do not hesitate to contact me at (847) 968-4844 or e-mail to: Nasser.assaf@valent.com.

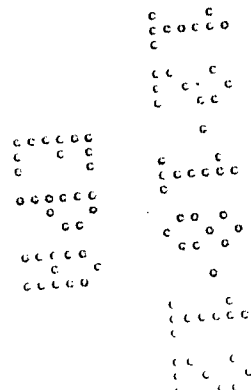
Sincerely,

A handwritten signature in black ink, appearing to read "NASSAF", written in a cursive, stylized script.

Nasser A. Assaf, Ph.D.
Manager, Product Safety and Regulatory Affairs

Enclosures

cc: VBC Regulatory File



427

AQUEOUS PYRENONE[®] GARDEN SPRAY

Intended for Residential Use Only

- *[Kills Gypsy Moth Caterpillars And Japanese Beetles]*
- *A Fast Acting Way To Kill Mosquitoes, Gnats, Moths, Houseflies, Aphids, Gypsy Moth Caterpillars, Japanese Beetles, Spider mites, Thrips And More Than 15 Other Yard And Garden Insects*
- *An Effective Insecticide For Use On Vegetable And Ornamental Pests*
- *Use Outdoors On Flowers, Roses, Trees, Shrubs, Ornamentals, And Vegetables - And Around Porch, Patio And Garage*
- *A Concentrated Pyrenone Micro-Emulsion, Clear Stable*
- *Provides Effective, Fast Acting, Killing Power With No Objectionable Residue*
- *Apply With Conventional Mechanical Compressed Air Equipment Or Non-Aerosol Pump]*

ACTIVE INGREDIENTS:

Pyrethrins.....0.02%

Piperonyl Butoxide*0.20%

OTHER INGREDIENTS:.....99.78%

100.00%

NOTIFICATION

MAR 14 2013

* (butyl carbityl)(6-propylpiperonyl) ether and related compounds.

PRECAUCION AL CONSUMIDOR: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente.

(TO THE USER: If you cannot read English, do not use this product until the label has been fully explained to you.)

EPA REG. NO. 73049-378

EPA EST. NO.

KEEP OUT OF REACH OF CHILDREN**CAUTION****See Side/Back Panel for Additional Precautions**

FIRST AID	
If in Eyes:	<ul style="list-style-type: none">• Hold eye open and rinse slowly and gently with water for 15-20 minutes.• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.• Call a poison control center or doctor for treatment advice.
HOT LINE NUMBER	
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. For additional information on this product (including health concerns, medical emergencies or pesticide incidents), you may call 1-877-315-9819.	

NET CONTENTS:

LOT NUMBER:

577

PRECAUTIONARY STATEMENTS

Hazards To Humans & Domestic Animals

CAUTION

Causes moderate eye irritation. Avoid contact with eyes or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Users should remove clothing immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing.

Environmental Hazards

This product is toxic to aquatic organisms, including fish and invertebrates. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area. Rinsing application equipment over the treated area will help avoid run off to water bodies or drainage systems. Do not apply directly to or near water. Drift and water may be hazardous to fish in water adjacent to treated areas. See Directions for Use for additional precautions and requirements.

This pesticide is highly toxic to bees exposed to direct treatment on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds while bees are actively visiting the treatment area.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Use Restrictions

- Do not allow adults, children, or pets to enter until vapors, mists and aerosols have dispersed, sprays have dried and the treated area has been thoroughly ventilated.
- Do not apply this product in a way that will contact other persons, either directly or through drift.
- Do not remain in treated area. Exit area immediately and remain outside the treated area until aerosols, vapors, and/or mist have dispersed.
- Remove or cover exposed food and drinking water before application.
- Remove or cover dishes, utensils, food processing equipment, and food preparation surfaces, or wash them before use.
- Remove pets, birds and cover any water inhabited by fish (such as aquariums and ornamental fish ponds) before spray application. Turn off aquarium filtering systems before spraying and wait approximately 15 minutes after application before turning the filter back on.
- Do not use on surfaces that may be harmed or stained by water.
- Do not wet plants to point of runoff or drip.
- Not for use on plants being grown for sale or other commercial use.
- Do not apply directly to or near water, storm drains, or drainage ditches. Do not apply when windy. To prevent product run-off, do not over water the treated areas or apply when heavy rain is expected. Rinse applicator over lawn or garden area only.
- All outdoor applications must be limited to spot or crack-and-crevice treatments only except for the following permitted uses:
 - 1) Treatment to soil or vegetation around structures
 - 2) Applications to lawns, turf, and other vegetation
- Other than application to building foundations, all outdoor applications to impervious surfaces such as sidewalks, driveways, patios, porches and structural surfaces (such as windows, doors and eaves) are limited to spot and crack-and-crevice applications, only.
- Do not water the treated area to the point of run-off.
- Do not make applications during rain.

TO OPERATE: SHAKE BEFORE USING. Hold sprayer 18 inches from foliage and spray with circular motion. Direct spray so that upper and lower leaf surfaces are contacted. Use caution on new growth and tender foliage. When using outdoors, spray when air is still.

Alternate use directions:

[TO OPERATE: SHAKE BEFORE USING. Turn nozzle to "spray" or "stream" position before using. Hold pump sprayer 18 to 24 inches from foliage or surfaces being treated. Direct the spray so that upper and lower surfaces are contacted. Use caution on new growth and tender foliage.]

Alternate use directions:

[TO OPERATE: SHAKE BEFORE USING. Remove shipping cap and save. Insert sprayer hose into bottle and tighten securely. Prime sprayer by holding at cap level of bottle and pumping trigger. Turn nozzle to "spray" or "stream" position before using. Hold pump sprayer 18 to 24 inches from foliage or surfaces being treated. Direct spray so that upper and lower surfaces are contacted. Use caution on new growth and tender foliage. Remove sprayer and replace shipping cap between uses. Spray water through sprayer after each use. Sprayer should be rinsed thoroughly and pumped empty for storage.]

This insecticide may be used indoors or outdoors throughout the growing season or as a pre-harvest treatment when other insecticides are prohibited due to residue restrictions and use limitations.

To control insects named, apply this spray to provide thorough coverage of upper and lower leaf surfaces. Do not apply more than 92.4 oz per 1000 sq. ft. Repeat treatment weekly or as needed to control infestations. Do not apply more than 10 times per season. Do not reapply within 3 days except under extreme pest pressure. In case of extreme pest pressure do not reapply within 24 hours.

May be applied on day of harvest.

Use on the following crops: Asparagus, Beans, Broccoli, Cauliflower, Cabbage, Brussels Sprouts, Celery, Cranberries, Eggplant, Lettuce, Mustard Greens, Kale, Collards, Turnips, Peppers, Potatoes, Radishes, Spinach and Tomatoes to Control: *Asparagus Beetles, Aphids, Leafhoppers, Whiteflies, Mexican Bean Beetles, 12-Spotted Cucumber Beetles, Cabbage Loopers, Cross-Striped Cabbageworms, Diamondback Moth Larvae, Flea Beetles, Harlequin Bugs, Imported Cabbageworms, Stink Bugs, Green Peach Aphids, Leafhoppers, Fireworms, Blister Beetles, Colorado Potato Beetles and Webworms.*

USE ON THE FOLLOWING ORNAMENTALS: African Violets, Azaleas, Begonias, Camellias, Dahlias, Dogwood, Roses, Wandering Jew, Asters, Carnations, Chrysanthemums, Geraniums, Gladiolus and Marigolds, to Control: *Aphids, Flea Beetles, Leafhoppers, Spider mites, Thrips and Whiteflies.*

TO KILL *Gypsy Moth Caterpillars* and *Adults, Adult Japanese Beetle, Eastern Tent caterpillars* and *Forest Tent Caterpillars* ON CONTACT: ON TREES AND SHRUBS: Treat trees and shrubs as soon as insects emerge (usually late spring). Treat leaves, branches and tree trunks evenly, making sure to penetrate dense foliage. Repeat application every 7 days as necessary for control.

ON ROSES AND IN FLOWER GARDENS: Treat plants and flowers as soon as insects appear. Spray plants and flowers making sure to penetrate dense foliage. Repeat application every 7 days or as necessary for control.

INDOORS AS A SPACE SPRAY

TO CONTROL *Houseflies, Fruit Flies, Mosquitoes, Gnats* and *Small Flying Moths*, apply using a good space sprayer adjusted to deliver a fine mist. Close windows and doors and shut off ventilating systems. Direct spray toward upper portions of the enclosure filling the room with mist. Use 4 to 5 ounces per 1000 cubic feet of space. Keep area closed for at least 30 minutes.

OUTDOORS to Kill *Mosquitoes*

Apply as a fine mist to thoroughly treat the entire area. Treat shrubbery and vegetation where mosquitoes may rest. Apply at a rate of 4 ounces per 1000 square feet.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

Pesticide Storage: Store in original container in a cool, dry area inaccessible to children and pets. Do not transport or store under 32° F. If freezing occurs, thaw and agitate vigorously.

Pesticide Disposal and Container Handling: Non-refillable container. *If empty:* Do not reuse or refill this container. Place in trash or offer for recycling if available. *If partly filled:* Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

IMPORTANT: READ BEFORE USE

Read the entire Directions for Use, Conditions, Disclaimer of Warranties and Limitations of Liability before using this product. If terms are not acceptable, return the unopened product container at once.

By using this product, user or buyer accepts the following conditions, disclaimer of warranties and limitations of liability.

CONDITIONS: The directions for use of this product are believed to be adequate and must be followed carefully. However, it is impossible to eliminate all risks associated with the use of this product. Ineffectiveness or other unintended consequences may result because of such factors as weather conditions, presence of other materials, or the manner of use or application, all of which are beyond the control of Valent BioSciences Corporation. All such risks shall be assumed by the user or buyer.

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[Or alternate text

Note [Notice]: Seller warrants that this product complies with the specifications expressed in this label. To the extent consistent with applicable law, seller makes no other warranties, and disclaims all other warranties, express or implied, including but not limited to warranties of merchantability and fitness for the intended purpose. To the extent consistent with applicable law, seller's liability or default, breach or failure under this label shall be limited to the amount of the purchase price. To the extent consistent with applicable law, seller shall have no liability for consequential damages.]

[Or alternate text

Notice: To the extent consistent with applicable law, buyer assumes all responsibility for safety and use not in accordance with directions.]

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Valent BioSciences Corporation
Environmental Science Division
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